

Including Indian Law on the Arizona Bar Exam:
Taking the Next Step in Advancing the Legal Profession in Arizona
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Last May, the State Bar of Arizona's Board of Governors submitted a petition to the Arizona Supreme Court urging an amendment to Rule 35(b) of the Arizona Rules of the Supreme Court. Petition #R08-0016 seeks a rule change that would include certain aspects of federal Indian law (notably, tribal jurisdiction and governmental immunity) as testable subjects on the Arizona bar examination.

As a second-year student at the University of Arizona College of Law, I understand the importance of preparing each future practitioner in the 'core competencies' - those areas of the law that all practitioners should know as they venture out into their specific practice areas. I also recognize that Indian law is one of Arizona's most pervasive legal issues, and regularly impacts many of Arizona's citizens, governmental interests, and private commercial interests. That is why it is surprising that Arizona still does not test Indian law issues on the bar exam. From my perspective, including Indian law simply makes sense in Arizona, where tribes and tribal members are such an integral part of Arizona politically, socially, and economically.

I have heard the argument against the Petition that it would not be "fair" to applicants to include Indian law when it is not a required part of the law school curriculum. Cutting against this argument is the glaring truth that both the UA and ASU law schools have two of the most renowned Indian law programs in the nation. Most years, the UA law school typically offers ten courses that deal predominantly with Indian law, and each year the faculty incorporates more and more aspects of Indian law into the traditional "core" courses. Our professors recognize, and experience has shown, that Indian law issues frequently intersect with those core areas when practicing in Arizona.

What amazes me is the amount of interest in Indian law I see in the general student body. When I came to Arizona, I didn't expect that so many law students would be interested in learning about this area of the law. However, just last fall, my Federal Indian Law class had so many enrolled students that there were not enough seats to accommodate everyone.

When I ask my fellow UA Law students why they choose to take Indian law courses, many of them reply with a simple answer. They want to be prepared for their legal practices in Arizona after graduation. To students, it is evident that most law firms in Arizona have large Indian law practices, and that our potential clients could include tribal nations or other parties dealing in Indian Country. My fellow law students understand the importance and far-reaching implications of Indian law in Arizona, and many of them take Indian law courses in preparation for this reality.

In a few weeks, UA Law will award the new Indigenous Peoples Law and Policy certificate for the first time to J.D. graduates. This event will mark a milestone in the UA's commitment to sending its graduates into the legal profession prepared to face Arizona's significant legal issues. Along with many of my classmates, I am proud of the fact that UA is leading the way in this area by incorporating Indian law issues into its course offerings in

order to develop the skills of the students it will send into the world to become tomorrow's attorneys and judges.

The truth is, today in Arizona, Indian law issues arise every day in all practice areas, often with significant impacts for attorneys and clients alike. This is not news to my fellow students, which is why so many of us are preparing ourselves for the future by taking Indian law courses now. In reality, the students of Arizona's law schools are perhaps already one step ahead of the State's bar exam, and any concern about fairness because Indian law is not a "required" subject appears to be misplaced. We students are ready for Indian law to be included on the bar exam.